

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

ROBERT L. JACKSON,

Petitioner,

V.

Sheriff GREGORY COUNTRYMAN,

Respondent.

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NO. 4:23-cv-00085-CDL-MSH

ORDER OF DISMISSAL

Petitioner Robert L. Jackson, a detainee in the Muscogee County Jail in Columbus, Georgia, filed an application for federal habeas corpus relief, pursuant to 28 U.S.C. § 2241. Pet. for Writ of Habeas Corpus, ECF No. 1. Petitioner also moved for leave to proceed *in forma pauperis*. Mot. for Leave to Proceed *In Forma Pauperis*, ECF No. 2. After the petition was filed, mail sent to Petitioner at the Muscogee County Jail, the only address on file for Petitioner, was returned to this Court as undeliverable. Mail Returned, ECF No. 4.

Recognizing that it may be an exercise in futility, the United States Magistrate Judge ordered Petitioner to respond and show cause to the Court why this case should not be dismissed based on his failure to keep the Court informed as to his current address. Order to Show Cause, ECF No. 5. Petitioner was given fourteen days to file his response and was cautioned that his failure to respond would likely result in the dismissal of this action. *Id.*

That order was also returned as undeliverable, Mail Returned, ECF No. 6, and Petitioner has not responded to the order or otherwise made contact with this Court. Thus,

because Petitioner has failed to respond to the Court's orders or otherwise prosecute this case, his petition is now **DISMISSED WITHOUT PREJUDICE**. *See* Fed. R. Civ. P. 41(b); *Brown v Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) ("The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this **10th** day of **July, 2023**.

S/Clay D. Land
CLAY D. LAND
U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA